

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

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| IN RE ETHICON, INC., PELVIC REPAIR | : | CIVIL ACTION NO. |
| SYSTEM PRODUCTS LIABILITY | : | 2:12-md-02327 |
| LITIGATION | : | |
| ----- | : | MDL No. 2327 |
| | : | |
| This Document Applies To All Wave 3 Cases | : | Judge Joseph R. Goodwin |
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**PLAINTIFFS' MOTION TO LIMIT THE OPINIONS AND TESTIMONY OF HARRY
JOHNSON, JR., M.D.**

Plaintiffs, in actions listed on attached Exhibit A, pursuant to Federal Rule of Evidence 702, 403, 104 and *Daubert v Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993) and its progeny, hereby submit Plaintiffs' Motion to Limit the Opinions and Testimony of Harry Johnson, Jr., M.D. Defendants have designated Dr. Johnson to offer general causation opinions on their TVT product despite the fact that Dr. Johnson is offering opinions that are: (a) irrelevant as they relate to Defendants' TVT-O product, not the TVT product at issue in these cases; (b) based on unknown facts or data as Dr. Johnson's reliance list and supplemental reliance lists are deficient; or (c) unsupported by reliable methodology, reliable application of methodology or are outside of Dr. Johnson's area of expertise.. The Court should exclude certain opinions of Dr. Johnson for the reasons more fully explained in the accompanying Memorandum. Plaintiffs also rely on the following attached exhibits:

1. A true copy of the Expert Report of Harry Johnson, Jr., MD on TVT is attached hereto as **Exhibit A**.
2. A true copy of the Harry Wallace Johnson, Jr., M.D. Curriculum Vitae is attached hereto as **Exhibit B**.

3. A true copy of the Deposition of Harry Johnson, Jr., M.D. dated July 14, 2016 is attached hereto as **Exhibit C**.
4. A true copy of Reliance List in Addition to Materials Referenced in Report is attached hereto as **Exhibit D**.
5. A true copy of Ford AA, et al., Mid-urethral sling operations for stress urinary incontinence in women (Review), Cochrane Database of Systematic Reviews, Issue 7 Art. No.: CD006375 (2015) is attached hereto as **Exhibit E**.

As set forth in Plaintiffs' Memorandum of Law in Support of Motion to Limit the Opinions and Testimony of Harry Johnson, Jr., M.D., Plaintiffs request the Court grant this Motion in its entirety thereby excluding or limiting the testimony of Dr. Johnson.

Dated: December 15, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2016, a true and correct copy of Plaintiffs' Motion to Limit the Opinions and Testimony of Harry Johnson, Jr., M.D. was served via electronic mail with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF counsel of record.

Dated: December 15, 2016

Respectfully submitted,

By: /s/ Aimee H. Wagstaff